

REMARKS

The Election/Restriction Requirement mailed October 24, 2005, asserts there are two inventions. In response to the Election/Restriction Requirement, Invention I, claims 1-35, drawn to an implant, is hereby elected without traverse.

Additionally, the Restriction Requirement asserts that there are six species of implant in the application as follows:

Species A: Figures 2A-2B
Species B: Figures 4A-4B
Species C: Figures 7-10B
Species D: Figures 30-32
Species E: Figure 34
Species F: Figure 35

Species D including Figures 30-32 is hereby elected without traverse. Finally, the Restriction Requirement asserts that there are four subspecies of the instrument in the application as follows:

Species AA: Figure 6
Species AB: Figure 7
Species AC: Figures 36-37
Species AD: Figure 39

Subspecies AC of Figures 36-37 is elected without traverse.

With respect to the elected claims 1-35 of Invention I, it appears that claims 1-3, 5-21 and 23-34 are readable at least on the elected species and subspecies. Accordingly, examination of the present application in view of the foregoing election is respectfully requested.

Respectfully submitted,

By: 

Douglas A. Collier
Reg. No. 43,556
Krieg DeVault LLP
One Indiana Square, Suite 2800
Indianapolis, Indiana 46204-2079
(317) 238-6333 (voice)